

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. (withdrawn):        A method for selecting an *Escherichia coli* strain which highly expresses an exogenous gene, comprising selection using the intensity of stress response as an index.
2. (withdrawn):        The selection method according to claim 1, wherein the stress response is hydrogen peroxide decomposition activity.
3. (withdrawn):        The selection method according to claim 1, wherein the strain to be selected is one where an exogenous gene whose expression tends to decrease by causes other than loss or mutation of a plasmid when introduced into an *Escherichia coli* is highly expressed.
4. (currently amended):        An *Escherichia coli* selection strain which ~~highly~~ expresses an exogenous gene, the strain being selected using hydrogen peroxide decomposition activity the intensity of as a stress response as an index wherein the stress response index of said *E. coli* selection strain is greater than about 1.0.
5. Canceled
6. (currently amended):        The *Escherichia coli* selection strain ~~which highly~~ expresses ~~an exogenous gene~~ according to claim 4 , wherein ~~[[an]]~~ the exogenous gene is a gene whose expression tends to decrease by causes other than loss or mutation of ~~[[a]]~~ the plasmid when introduced into an *Escherichia coli* other than said selection strain is highly expressed.

7. (currently amended): The *Escherichia coli* selection strain which highly expresses an ~~exogenous gene~~ according to claim 4 wherein the initial amount of said exogenous gene expression is maintained or enhanced during subculture ~~when a gene, whose expression amount in other *Escherichia coli* strains is reduced to half the initial expression amount during 30 subculture generations, is expressed in the strain.~~

8. (currently amended): The *Escherichia coli* selection strain which highly expresses an ~~exogenous gene~~ according to claim 6, wherein the exogenous gene whose expression decreases by causes other than loss or mutation of ~~[[a]]~~ the plasmid is a gene ~~of an encoding~~ ammonia lyase.

9. (currently amended): The *Escherichia coli* selection strain which highly expresses an ~~exogenous gene~~ according to claim 8, wherein the expression gene of an ammonia lyase is a gene ~~of~~ encodes phenylalanine ammonia lyase.

10. (currently amended): The *Escherichia coli* selection strain which highly expresses an ~~exogenous gene~~ according to claim 9, wherein the gene ~~of~~ phenylalanine ammonia lyase gene is derived from a plant.

11. (currently amended): The *Escherichia coli* selection strain which highly expresses an ~~exogenous gene~~ according to claim 10, wherein the plant is *Lithospermum erythrorhizon*.

12. (currently amended): The *Escherichia coli* selection strain which highly expresses an ~~exogenous gene~~ according to claim 4, wherein the *Escherichia coli* selection strain is derived from K12 strain.

13. (currently amended): The *Escherichia coli* selection strain ~~which highly~~ expresses an ~~exogenous gene~~ according to claim 12, wherein the *Escherichia coli* selection strain is derived from XL1-Blue strain.

14. (currently amended): The *Escherichia coli* selection strain ~~which highly~~ expresses an ~~exogenous gene~~ according to claim 13, wherein the *Escherichia coli* selection strain is *Escherichia coli* SD840 strain.

15. (currently amended): The *Escherichia coli* selection strain ~~which highly~~ expresses an ~~exogenous gene~~ according to claim 14, wherein the *Escherichia coli* selection strain is derived a ~~derivative strain~~ obtained from *Escherichia coli* SD840 strain by clone selection or gene manipulation.

16. (original): *Escherichia coli* SD840 strain (Deposit No. FERM BP-08546).

17. (withdrawn): A process for producing an enzyme, comprising expressing the exogenous gene of the *Escherichia coli* strain which highly expresses the exogenous gene according to claim 4.

18. (withdrawn): A process for producing a compound, comprising reacting a treating solution containing the *Escherichia coli* strain which highly expresses the exogenous gene according to claim 4 or an enzyme thereby produced with a substrate of the enzyme.

19. (withdrawn): The process for producing a compound according to claim 18, wherein the enzyme is an ammonia lyase, the substrate is an unsaturated carboxylic acid, and the resulting compound is an L-amino acid and/or its derivatives.